

love it because home health care allows seniors and others with disabilities a feeling of independence and dignity, despite their illnesses. Often home health is an alternative to more expensive services in hospitals, and, thus, is a cost-effective alternative to providing care.

However, folks, there is a home health care crisis—too many seniors and disabled who should be receiving health care services at home are not getting it. This is wrong. Many of our most frail and vulnerable have had to be repeatedly hospitalized with problems that could have been avoided had they been continuing to receive their home health benefits. Others are trying to pay for the care themselves, often on very limited means. Some are going without care altogether.

By the late 1990s, home health care was the fastest growing component of Medicare spending, growing at an average of 26 percent annually. We all know what happened next—in an effort to balance the budget and make the home health program more cost-effective and efficient, Congress in the Balanced Budget Act of 1997, BBA, tried to cut the growth in Medicare spending. Unfortunately, the real results of this action went much farther than we intended, in large part because of faulty implementation and excessive regulatory requirements of the Health Care Financing Administration, HCFA. As the cuts and regulations spun out-of-control, health care providers struggled to survive, while many were forced to close their doors entirely. Ultimately, patients suffered the most. This story applies to patients and providers in all parts of Medicare, hospitals, nursing homes, home health care providers, everyone.

Now, on the horizon, is yet another 15-percent cut that would put many of our already struggling home health agencies at risk and would seriously jeopardize access to critical home health services for millions of our Nation's seniors. In my State of Montana, access to home health care is already a problem for many, we cannot make this problem worse. Home health and, most importantly, the patients who depend on its services cannot afford this. We must act now.

I am indeed proud that last year we passed legislation, the Medicare, Medicaid, and S-CHIP Benefits Improvement and Protection Act, which provided some relief to struggling home health agencies. However, I do not think that it went far enough. First, we must eliminate the 15 percent cut completely. The simple fact is that an additional 15 percent cut in Medicare home health payments would spell death for those low-cost agencies which are currently struggling to hang on, and it would further reduce seniors' access to critical home care services. We have already delayed this 15 percent

cut three times—the time has come to do away with it once and for all. Secondly, we must also make permanent the temporary 10 percent add-on for home health services furnished patients in rural areas. This, too, was included in last year's legislation, this bill would make it permanent.

In Montana, we know too well how very expensive it is for home health agencies to deliver services to rural patients. They have to travel long distances, and it takes a long time to reach those patients. That all adds to the cost.

The Home Health Care Stability Act will provide essential relief for our home health agencies that are struggling to make ends meet. I am proud to add my name as a cosponsor of this important piece of legislation. I hope we can get quick action on this bill to ensure that seniors and the disabled have appropriate access to quality home health care.

PUBLIC MEDAL OF VALOR ACT

Mr. LEAHY. Mr. President, I am pleased to cosponsor the Public Safety Officer Medal of Valor Act, S. 39, which was introduced by Senator STEVENS. I thank him for his hard work on this important piece of legislation.

I supported and cosponsored the Public Safety Officer Medal of Valor Act in the last Congress as well. I was disappointed that this legislation did not become law then. In April and May, 1999, I made sure that the Senate acted on this bill. On April 22, 1999, the Senate Judiciary Committee took up that measure in regular order and reported it unanimously. At that time I congratulated Senator STEVENS for introducing the measure and thanked him for his leadership. I noted that we had worked together on a number of law enforcement matters and that the senior Senator from Alaska is a stalwart supporter of the men and women who put themselves at risk to protect us all. I said that I looked forward to enactment of this measure and to seeing the extraordinary heroism of our police, firefighters and correctional officers recognized with the Medal of Valor.

On May 18, 1999, I was privileged to be on the floor of the Senate when we proceeded to consider S. 39 and passed it unanimously. I took that occasion to commend Senator STEVENS and all who had worked so hard to move this measure in a timely way. That was during National Police Week nearly two years ago. The measure was sent to the House of Representatives where it lay dormant for the remainder of the 106th Congress.

Instead, the House, in the last Congress, insisted that the Senate take up, fix and pass the House-passed version of this measure, H.R. 46, if it were to become law. House members indicated

that they were prepared to accept most of the Senate-passed text, but insisted that it be enacted under the House bill number. In order to get this important measure to the President, we did that on December 15, 2000. We discharged the House-passed version of that bill from the Judiciary Committee, adopting a complete substitute, and sent it back to the House. Unfortunately, the House failed to act on our good faith effort last year, and the Public Medal of Valor was never enacted.

This year, I have again worked with Senator STEVENS, Senator HATCH, and others to get this important bill passed. I urge my colleagues to work towards improvements to ensure that the Medal of Valor Board will work effectively and efficiently with the National Medal of Valor Office within the Department of Justice. Our legislation should establish both of these entities. It is essential that they work well together to design the Medal of Valor and to create the criteria and procedures for recommendations of nominees for the award. The men and women who will be honored by the Medal of Valor for their brave deeds deserve nothing less. I hope the Senate will quickly act on these changes to this important measure.

BLACK HISTORY MONTH

Mr. KERRY. Mr. President, I'd like to make a few comments today in recognition of Black History Month. For a quarter-century, our country has held the month of February in special regard as a time to remember and reflect on the rich history and extraordinary achievements of African Americans. Today, I would like to speak about some important and influential African Americans from my home State of Massachusetts.

The diversity we celebrate during this month encompasses many areas. African-American leaders should be recognized not only for their achievements in the face of racial discrimination, but for the accomplishments they have made in a wide variety of occupations. Diversity stretches beyond race and crosses into gender, age, and occupation. The following men and women cover a wide spectrum of interests, eras, and accomplishments, and each has made a significant contribution to the Massachusetts community.

In 1845, Macon B. Allen became the first African American officially admitted to the bar, and he practiced law for many years in Worcester, Massachusetts before moving to South Carolina, where he became one of the first black Federal judges in the Nation. Mr. Allen set a precedent that opened many doors for the minority attorneys and judges who followed in his footsteps.

Dr. W.E.B. DuBois has long been recognized as a figure of leadership in African-American history. Dr. Dubois